 Internal Case Management System Worksheet - Case Closing					Top Allegation OFFICIAL STATEMENT - FALSE STATEMENT - PG		Group G21-GROUP 21 Date of This Report 03/21/2018	
Date Reported 01/31/2017	Date Assigned 01/31/2017	IAB Log No. 2017-3767	Case No. (G21) C-2017-56	Folder Type CORRUPTION	Preliminary Case Type MISCONDUCT		Follow-Up No.	Worksheet Tracking No. 2721212

Topic/Subject (Case Closing) CASE CLOSING-PARTIALLY SUBSTANTIATED/MPV	Activity Date 03/21/2018	Activity Time 00:00
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Referred to Group -	Conferred With	Next Review Date
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Closing Statement Case #: C-2017-0056 Log#s: 2016-42837 2016-43575 2017-3767 2018-18745 2018-18746 Subject Officers: #1: Sergeant William Butler, Tax #933664, 50th Precinct Date of Appointment: 01/13/2004 Probation (at time of incident): No Current Duty Status: Full Duty #2: Police Officer Mayko Matos, Tax #957821, 50th Precinct Date of Appointment: 01/07/2015 Probation (at time of incident): No Current Duty Status: Full Duty #3: Police Officer John Labianca, Tax #945892, 50th Precinct Date of Appointment: 01/07/2008 Probation (at time of incident): No Current Duty Status: Full Duty Date Case Received: 2/2/2017 Date of Occurrence: 1/17/2017 Administrative Statues of Limitations: 7/17/2018 Classification: C-2 Investigator:
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Sergeant Shantel James, Tax #935053

Team Leader:

Lieutenant Euclides Lopez, Tax #935208

Overall Disposition:

Partially Substantiated/MPV

Details:

Log #2016-43575:

On 12/14/16 I received CCRB# 201610168 which stated the following verbatim: "This is a spinoff from CCRB case number 201610050. This spinoff is being referred to IAB for allegations of a cavity search made by the complainant during his interview for that case. FADO allegations within incident are being investigated by the CCRB. The complainant was arrested on December 3, 2015 (Arrest ID: [REDACTED]), and allegedly was strip-searched in his cell at the 50th Precinct stationhouse by PO Mayko Matos. Sgt. William Butler was present supervising. PO Matos told other officers that the complainant "boofed" drugs, which according to [REDACTED] meant that PO Matos thought he had hidden drugs in his anal cavity. [REDACTED] stated PO Matos inserted a finger "in [his] asshole," causing him pain which persisted, and which he intends to see a doctor about. The complainant was later joined in the cell by another prisoner (as yet unidentified), who he told about the search, warning him that he had just been "molested" in the cell. The CCRB has previously been in contact with IAB regarding this complaint due to a potential threat against MOS made by the complainant prior to his interview." At 0820 hours, ICIS check yielded prior log number 2016-42837 where the complainant reports an improper search.

Log # 2017-3767:

On 1/31/17, the Command Center received the following CCRB notification:

"This is an IAB spin-off for a False Official Statement from CCRB case number 201610050 (in which FADO Allegations are being investigated). The CCRB has reason to believe that PO Mayko Matos and Sgt. William Butler of the 50th Precinct may have made false official statements in connection with that case.

On December 6, 2016, [REDACTED] filed a complaint in person at the CCRB, alleging that PO Matos, under the supervision of Sgt. Butler, conducted a strip search and manual cavity search in the 50th Precinct stationhouse following his December 3, 2016 arrest for driving with a suspended license and marijuana possession. The allegation of a cavity search was referred to IAB (see IAB Log 16-43575). During his interview, [REDACTED] made a remark which was reported by the investigator to the NYPD as a potential threat against a member of service (See IAB Log 16-42837).

[REDACTED] alleged that after the officers found a pill in the RMP that he had been transported in, PO Matos conducted the strip search by pulling down [REDACTED]'s pants and underwear before grabbing his genitals and placing his hands between his buttocks.

On January 11, 2017, PO John Labianca was interviewed at the CCRB, and stated that he witnessed PO Matos pull [REDACTED]'s pants down to his knees and "put his hand in [REDACTED]'s underwear to check his testicles," touching the skin and making physical contact with [REDACTED]'s testicles. His statement indicated that PO Matos conducted a thorough search underneath [REDACTED]'s underwear, with PO Matos' hand making contact with [REDACTED]'s skin.

On January 17, 2017, PO Matos was interviewed at the CCRB. He stated that after he found the pill in the RMP, they only searched [REDACTED]. PO Matos stated that no piece of [REDACTED]'s clothing was ever pulled down or removed, and that he never put his hand inside [REDACTED]'s underwear or made skin-to-skin contact with his testicles. He said that he only reached into [REDACTED]'s pants and searched him through the layer of the underwear.

On January 19, 2017, Sgt. Butler was interviewed at the CCRB. He stated that, after the pill was discovered, he supervised the search of [REDACTED]. Sgt. Butler stated that PO Matos only conducted an external pat down of [REDACTED]'s clothing, none of which was removed, pulled down, or reached into.

Due to the detailed narratives provided by all of the officers in regards to the incident with [REDACTED] the CCRB has reason to believe that Sgt. Butler and PO Matos intentionally made false official statements about facts that are material to the CCRB's investigation of the strip search allegation.

Log #2016-42837:

On 12/07/2016, PO Devon Jarunczyk, Tax# 949018, of the Operations Unit, called the C/C to report the following: [REDACTED] entered the stated location on 12/06/2016, to make a CCRB complaint. He told the person that took the complaint that he was arrested by PO's Mayko Matos Tax# 957821 and John Labianca Tax# 945892 of the 50th Precinct, they performed a cavity search on him and he intends to kill them. PO Jarunczyk stated that CCRB's personally notified Sgt. Buccheri of the 1st precinct, of the threat, who made the Operations notification. She stated that Det. Nugget from Threat Assessments, Sgt. Boyle from the 50th Precinct (desk sergeant), DI Iocco, 1st precinct CO, and DI O'Tolle who is the 50th Precinct CO, have all been

notified, Threat Assessment report to follow.

This case was generated as a result of a CCRB notification to IAB. On December 3, 2017, Complainant [REDACTED] filed a complaint with CCRB, alleging that PO Mayko Matos, under the direct supervision of Sergeant William Butler, conducted a strip search and manual cavity search while inside of the 50th Precinct's Holding Cells following his arrest that took place on December 3, 2016, in which case he was arrested for driving with a suspended license and marijuana possession.

During [REDACTED]'s CCRB interview, he made remarks to the investigator that was reported to IAB (Log #2016-43575) as a potential threat against PO Matos.

Log #2018-18745:

On Monday May 14, 2018, Sergeant Shantel James, called the Command Center to report that Charges and Specifications are being preferred by Deputy Inspector Richard Hellman, under the authority of Assistant Chief Brian O'Neill, against Sergeant William Butler.

Log #2018-18746:

On Monday May 14, 2018, Sergeant Shantel James, called the Command Center to report that Charges and Specifications are being preferred by Deputy Inspector Richard Hellman, under the authority of Assistant Chief Brian O'Neill, against Police Officer Mayko Matos.

Identification and Interview of Complainant:

[REDACTED] was identified in this case as a complainant, after he made a complaint with the CCRB. [REDACTED] was interviewed by CCRB and informed them that on the evening of December 3, 2016, he was operating his vehicle in the confines of the 50th Precinct, when he was subjected to a vehicle stop by Police Officer Labianca and Police Officer Matos. During the car stop, it was determined that [REDACTED] was driving with a suspended license and he had a marijuana cigarette in plain view. [REDACTED] was arrested and removed to the 50th Precinct for arrest processing. While being held at the 50th Precinct, Sergeant William Butler, who was the immediate supervisor of these two officers responded to the precinct. At some point during the night, [REDACTED] was ordered to remove his jewelry. [REDACTED] failed to comply with this order and was subsequently physically restrained until his jewelry was successfully removed.

After [REDACTED]'s jewelry was removed, Officer Matos went outside to inspect the vehicle that [REDACTED] was transported in. During this search, PO Matos alleged that he discovered a single narcotic pill in the back seat of the vehicle. PO Matos alerted Sergeant Butler of his findings. Additionally, he informed PO Labianca as well as Sergeant Butler that it was his belief that [REDACTED] had stuffed drugs up his behind because he smelled a foul odor emanating from [REDACTED]'s lower body. It was at this point that the officers made the decision to "search" [REDACTED] again.

Sergeant Butler and PO Matos denied subjecting the complainant to a strip search although they were provided with a copy of the Patrol Guide section that describes what constitutes a strip search. Initially, PO Labianca denied subjecting the complainant to a strip search however, after he was allowed to familiarize himself with the Patrol Guide section that details the NYPD's definition of a strip search, he admitted that a strip search was performed. PO Labianca also stated that he did not know that he was required to document the incident in his memobook or on the arrest paperwork.

A background check of the C/V, revealed the fact that he's been [REDACTED]

Identification and Interview of Witness:

Police Officer Joseph Rodriguez, Tax #931072, assigned to the 50th Precinct was identified as a witness in this case due to the fact that the C/V made mention that this officer was inside of the precinct when the incident occurred.

Canvass:

N/A

Identification of Subject Officers:

Police Officer John Labianca, Tax #945892, of the 50th Precinct was identified as a subject in this case due to the fact that he was listed on the Arrest Report as the Arresting Officer for the C/V.

Police Officer Mayko Matos, Tax #957821, of the 50th Precinct was identified as a subject in this case due to the fact that the C/V mentioned him by name and a review of the Roll Call revealed the fact that he was partnered with the arresting officer.

Sergeant William Butler, Tax #933664, of the 50th Precinct was identified as a subject in this case due to the fact that he was identified on the Roll Call as being the Conditions Supervisor.

Review of Department Records:

A review of the Command Log revealed the fact that there were no entries pertaining to a strip search of the C/V being

conducted.

A review of the C/V's Arrest Report revealed the fact that he was arrested on December 3, 2016, by Police Officer John Labianca. He was charged with Criminal Possession of a Controlled Substance (single pill), Aggravated Unlicensed Operator and Unlawful Possession of Marihuana.

A review of the Roll Call revealed the fact that all three subject officers were working the third platoon and assigned to the Conditions Team.

A review of PO Matos's Memobook revealed the fact that he documented working with PO Labianca and that PO Labianca had one under. There was no mention of a strip search being conducted.

A review of PO Labianca's Memobook revealed the fact that he documented the arrest of the defendant. There was no mention of a strip search being conducted.

A review of Sergeant Butler's Memobook revealed the fact that he did list himself as the Conditions Supervisor however, there were no entries pertaining to the arrest of the defendant.

Computer and Related Background Checks:

A background check of PO Matos was conducted. According to his CPI, he has one background check regarding appointment, one Department vehicle accident in which case he was deemed to be at fault, three internal investigations regarding: 1) Disputed Summons-SAP and missing Property from Prisoner-These allegations are currently being investigated by the Chief of Department and the disposition is listed as pending 2) Use of Force-Level 2- This allegations is currently being investigated by the Chief of Department and the disposition is listed as pending 3) FADO-Force and Disputed Arrest- These allegations are currently being investigated by the Chief of Department and the disposition are listed as pending. Regarding Officer Matos' ICMS history, he has seventeen cases. These cases are regarding FADO, Improper/Incomplete Memobook Entries, Improper Search, Missing Property, Invoice Discrepancy, and the Use of Force. He has no additional allegations of False Misleading Statements.

A background check of PO Labianca was conducted. According to his CPI, he has two background checks regarding appointment and Legal Bureau, he has two Department vehicle accidents, in which case he was deemed to be at fault, and he has two internal investigations regarding Failure to Take Police Action (overall disposition is documented as Unsubstantiated/OMN) and Disputed Arrest (overall disposition is documented as pending. This case is being investigated by the Chief of Department Unit). Regarding Officer Labianca's ICMS history, he has twelve cases. These cases are regarding Evidence Discrepancies Lab-Narcotics, Other Department Rules/Procedures, Use of Force-Level 2, Disputed Summons, Improper Search, and Memobook Incomplete/Improper. Other than the False-Statement-CCRB allegation regarding this case, he has no similar allegations.

A background check of Sergeant Butler was conducted. According to his CPI, he has five background checks regarding: Appointment, PBMN I/U, OCCB, LEG BUREAU AND SGT Eligibility. He's been involved in two Department vehicle accidents, in which case he was deemed to be at fault. He's reported his ID card lost in April of 2016, he has one civil suit, in which case he is listed as a defendant. He received a Schedule B Command Discipline in 2009, while on duty and assigned to the 32nd Precinct while working in the capacity of a Police Officer for failing to maintain his Activity Log. The discipline was warn and admonished. Sergeant Butler has two Internal Investigations regarding: 1) Unfit for Duty (Unsubstantiated by PBMN) and 2) FADO-Unnecessary Force (Unsubstantiated/OMN by IAB-Group #54). Regarding Sergeant Butler's ICMS history, he has eight cases. These cases are regarding: A violation of Other Department Rules/Procedures, PD Item Lost, Fail to Take/Make Report, and Improper Search. Other than the False-Statement-CCRB allegation regarding this case, he has no similar allegations.

Conferrals Conducted:

I conferred with the assigned Bronx ADA regarding the status of the C/V's criminal court status as it relates to his charges. ADA Tock advised that the C/V's criminal case is now closed. He pled guilty to one count of Disorderly Conduct and was ordered to pay a \$75.00 fee.

I conferred with Department Advocate Ji Jahng, and requested that Charges and Specifications be issued to both Sergeant Butler and PO Matos for 1) Intentionally making a false misleading statement to both IAB and CCRB, 2) Engaging in conduct prejudicial to the good order, efficiency, or discipline of the Department and 3) Failing to make accurate and complete entries in Activity Log.

Proactive Measures:

N/A

Other Information of Investigative Value:

A review of the CCRB case-folder revealed the fact that the allegation of Abuse of Authority against Sergeant Butler and PO Matos were documented as Substantiated and the recommended penalty was that a Schedule B Command Discipline be issued to Sergeant Butler, and that a Schedule A Command Discipline be issued to PO Matos.

The Department Advocate's Office decided to combine the CCRB case with this IAB Case so as to not issue duplicate punishment.

Patrol Guide Hearings:

PO Labianca was subjected to a PG Hearing on April 11, 2017. Officer Labianca reiterated the version of events as described during his CCRB interview. He remained steadfast in his assertion that PO Matos pulled down the complainant's pants, placed his hands inside the complainant's underwear (conductive to checking under the complainant's testicles), then placed his hand in between the complainant's ass cheeks and swiped his hand upwards. When interviewed by CCRB, Officer Labianca maintained that at the same time of his CCRB interview, he did not understand what constituted a strip search.

PO Matos was subjected to a PG Hearing on May 16, 2017. Officer Matos was confronted with Officer Labianca's statements which partially corroborated the complainant's allegations and conflicted with Officer Matos' statements. Police Officer Matos denied ever pulling down the complainant's pants. Officer Matos maintained that the complainant's pants were hanging low on his waist. Officer Matos maintained that he checked the waist band of the complainant's underwear but never placed his hand inside the underwear, denying ever checking under the complainant's testicles alleged. Officer Matos denied making any skin to skin contact; however, conceded he may have made inadvertent contact with the complainant's penis while patting him down over his clothing. Officer Matos denied ever conducting any kind of swipe between the complainant's butt cheek as alleged.

PO Matos was subjected to a second PG Hearing on June 29, 2017. During his second PG Hearing, he was confronted with his conflicting statements regarding the purpose of having searched the complainant. Officer Matos had previously testified at CCRB and during his prior PG 206-13 hearing that he believed the complainant might have secreted contraband in his butt.

Officer Matos had testified that he smelled a strong fecal odor emanating from the complainant's hand and testified that he had observed the C/V moving about in the rear of the RMP where the pill was recovered, raising his suspicions. Officer Matos described a past experience where a prisoner secreted contraband in between said prisoner's butt cheeks. Officer Matos was interrogated as to what measures during his search were taken to determine whether the complainant placed contraband in between his butt cheeks, the area where he suspected contraband was secreted. Officer Matos maintained that he was satisfied with his pat down conducted over the complainant's underwear. Officer Matos denied conducting any type of swipe (under or over) the complainant's clothing.

Sergeant Butler was subjected to a PG Hearing on May 10, 2017. Sergeant Butler was confronted with Officer Labianca's statements which partially corroborated the complainant's allegations and conflicted with Sergeant Butler's statements. Sergeant Butler retracted his statements that outright refuted the allegations. Sergeant Butler originally asserted that he supervised the search which consisted of a pat down above the complainant's clothing; however, he changed his statements to be not having witnessed an invasive search as alleged, conceding that it could have occurred while being preoccupied with restraining the complainant.

PO Rodriguez was subjected to a PG Hearing on May 10, 2017. Officer Rodriguez testified that on the date of incident, while present inside of the 50th Precinct, he did overhear a loud commotion from the cell area. After observing the C/V along with the S/O's, he determined that the situation was only a verbal dispute and that it was under control. At no point in time did he witness the C/V being searched, nor did he participate in any search.

Supervisory Deficiencies:

Due to the fact that Sergeant Butler wrongfully authorized a strip search, failed to ensure that the said strip search was documented in the Command Log, failed to make an Activity Log entry regarding the matter, failed to ensure that the arresting officer of the defendant/complainant completed an Arrest Supplement Report and provided a misleading and inaccurate statement during a CCRB interview, he was appropriately disciplined by receiving C&S.

Conclusion:

During the course of this investigation, it was determined that both Police Officer Matos and Sergeant Butler provided false and or misleading statements to both CCRB and IAB in an apparent attempt to conceal the fact that the complainant was subjected to an improper search. Based on Officer Labianca's corroborating testimony, both Officer Matos and Sergeant Butler provided false/misleading statements regarding the complainant's pants having been pulled down and regarding Officer Matos having placed his hand inside the complainant's underwear making skin to skin contact with the complainant's genitalia and in between the complainant's butt cheek.

Based on the findings of this investigation, it is recommended that the overall disposition be documented as Partially Substantiated/MPV.

Subjects Involved

Name	Status	Sex	Race	Dob
933664 WILLIAM BUTLER SGT (050-050 PRECINCT)	UNIFORM MEMBER OF SERVICE	MALE	WHITE	

Allegations



1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding	Finding Date
		Perjury/False Statements	CCRB			




	False-Statement - CCRB			02/01/2017	12 - Unsubstantiated	03/21/2018
	Comments THE DEPARTMENT ADVOCATE'S OFFICE DETERMINED THAT THERE WAS INSUFFICIENT EVIDENCE TO CLEARLY PROVE SGT. BUTLER MADE INTENTIONAL FALSE STATEMENTS; HOWEVER, THERE WAS SUFFICIENT EVIDENCE TO CLEARLY PROVE THAT HE MADE MISLEADING STATEMENTS TO BOTH CCRB AND IAB IN AN APPARENT ATTEMPT TO CONCEAL THE FACT THAT THE COMPLAINANT WAS SUBJECTED TO AN IMPROPER STRIP SEARCH.					
2	Full Allegation Additional Information Prior Log -	Classification NOTIFICATION/Additional Information	Allegation Index ADD-Additional Information	Allegation Date 02/02/2017	Finding 04 - Info. and Intelligence	Finding Date 03/21/2018
	Comments Log #2016-43575 was generated and classified as "Additional Information-Prior Log" as a result of a CCRB spinoff in which case the complainant alleged to CCRB that he was subjected to a strip search. There was already a prior Log generated regarding the complainants potential threat against the S/O's in this case.					
3	Full Allegation Memobook Incomplete/Improper -	Classification Abuse of Dept Regulations	Allegation Index Administrative Integrity Issue	Allegation Date 03/06/2017	Finding 07 - Substantiated	Finding Date 03/21/2018
	Comments Due to the fact that Sergeant Butler failed to document in his activity Log that the strip search of the C/V took place, this allegation is being documented as Substantiated. This allegation was addressed in SPEC #4:SGT Butler while assigned to the 50 PCT, did wrongfully fail to make a required Activity Log entry regarding the strip search of [REDACTED]					
4	Full Allegation Official Statement - Misleading Statement - CCRB	Classification Perjury/False Statements	Allegation Index CCRB	Allegation Date 05/14/2018	Finding 07 - Substantiated	Finding Date 05/14/2018
	Comments Investigation into this case revealed the fact that Sergeant Butler provided a misleading statement to both CCRB and IAB in an apparent attempt to conceal the fact that the complainant was subjected to an improper strip search. This allegation was addressed in SPEC #3: Sergeant Butler did make misleading and inaccurate statements during a CCRB interview, to wit: he did in a sum and substance, state that PO Mayko Matos did not put his finger or hand inside [REDACTED]'s pants, and that [REDACTED]'s pants were not pulled down.					
5	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 05/14/2018	Finding 07 - Substantiated	Finding Date 05/14/2018
	Comments Sergeant Butler failed to ensure that the arresting officer prepared an Arrest Supplement Report regarding the strip search of the C/V. This allegation was addressed in SPEC #5: Sergeant Butler did fail to ensure that the strip search of [REDACTED] was documented in the Arrest Report-Supplement.					
6	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 05/14/2018	Finding 07 - Substantiated	Finding Date 05/14/2018
	Comments Sergeant Butler failed to document the strip search of the C/V in the Command Log. This allegation was addressed in SPEC #2:Sergeant Butler did fail to document the strip search of [REDACTED] in the Command Log.					
7	Full Allegation Charges & Specifications - IAB	Classification NOTIFICATION/Additional Information	Allegation Index CS-Charges and Specifications	Allegation Date 05/14/2018	Finding 04 - Info. and Intelligence	Finding Date 05/17/2018
	Comments Sergeant Butler received Charges and Specifications (Log #2018-18745) for his role in the strip search of [REDACTED]					
8	Full Allegation Report Incomplete/Inaccurate - Other Report	Classification Abuse of Dept Regulations	Allegation Index IMP-Invest. Incomp./Improper	Allegation Date 05/16/2018	Finding 07 - Substantiated	Finding Date 05/17/2018

	Comments Due to the fact that Sergeant Butler failed to ensure that the strip search of the defendant was properly documented in the Command Log and failed to ensure that Arresting Officer John Labianca, completed an Arrest Supplement Report regarding the search, this allegation was appropriately added. This allegation was addressed in SPEC #'s 2&5.				
9	Full Allegation Fail to Properly Search - Prisoner - Unauthorized Strip Search	Classification Abuse of Dept Regulations	Allegation Index ISP-Improper Search Person	Allegation Date 05/16/2018	Finding 07 - Substantiated Finding Date 05/17/2018
	Comments Due to the fact that Sergeant Butler participated in an unauthorized search of the C/V, this allegation is being documented as Substantiated. This allegation was addressed in SPEC #1: Sergeant Butler, while on-duty and assigned to the 50th Precinct, did wrongfully authorize a strip search of [REDACTED].				
Name 945892 JOHN LABIANCA POM (050-050 PRECINCT)		Status UNIFORM MEMBER OF SERVICE	Sex MALE	Race WHITE	Dob [REDACTED]
Allegations					
1	Full Allegation Additional Information Prior Log -	Classification NOTIFICATION/Additional Information	Allegation Index ADD-Additional Information	Allegation Date 02/02/2017	Finding 04 - Info. and Intelligence Finding Date 03/21/2018
	Comments Log #2016-43575 was generated and classified as "Additional Information-Prior Log" as a result of a CCRB spinoff in which case the complainant alleged to CCRB that he was subjected to a strip search. There was already a previous Log generated regarding the complainants potential threat against the S/O's in this case.				
2	Full Allegation Memobook Incomplete/Improper -	Classification Abuse of Dept Regulations	Allegation Index Administrative Integrity Issue	Allegation Date 03/06/2017	Finding 24 - Minor Procedural Violation Finding Date 03/21/2018
	Comments Due to the fact that Officer Labianca failed to document in his memobook that a strip search of the C/V was conducted, this allegation is being documented as MPV. Officer Labianca received a Letter of Referral detailing this violation that will be addressed by his commanding officer and a copy will be kept in his personnel folder.				
3	Full Allegation Other Dept Rules/Procedures Violation -	Classification Abuse of Dept Regulations	Allegation Index VRP-Violation Rules/Procedures	Allegation Date 05/15/2018	Finding 24 - Minor Procedural Violation Finding Date 05/15/2018
	Comments This allegation is being added as a result of Officer Labianca failing to prepare an Arrest Supplement Report. Officer Labianca received a Letter of Referral detailing this violation that will be addressed by his commanding officer and a copy will be kept in his personnel folder.				
4	Full Allegation Fail to Properly Search - Prisoner - Unauthorized Strip Search	Classification Abuse of Dept Regulations	Allegation Index ISP-Improper Search Person	Allegation Date 05/31/2018	Finding 12 - Unsubstantiated Finding Date 05/23/2018
	Comments Since Sergeant Butler condoned and was an active participant in the C/V's search, there is insufficient evidence to clearly prove whether or not Officer Labianca had knowledge that the C/V's strip search was not authorized.				
Name 957821 MAYKO MATOS POM (050-050 PRECINCT)		Status UNIFORM MEMBER OF SERVICE	Sex MALE	Race	Dob [REDACTED]
Allegations					
1	Full Allegation	Classification	Allegation Index	Allegation Date	Finding Finding Date

	Additional Information Prior Log -	NOTIFICATION/Additional Information	ADD-Additional Information	02/02/2017	04 - Info. and Intelligence	03/21/2018
	Comments Log #2016-43575 was generated and classified as "Additional Information-Prior Log" as a result of a CCRB spinoff in which case the complainant alleged to CCRB that he was subjected to a strip search. There was already a prior Log generated regarding the complainants potential threat against the S/O's in this case.					
2	Full Allegation False-Statement - CCRB	Classification Perjury/False Statements	Allegation Index CCRB	Allegation Date 04/09/2017	Finding 07 - Substantiated	Finding Date 03/21/2018
	Comments Investigation into this case revealed the fact that PO Matos provided a false statement to CCRB in an apparent attempt to conceal the fact that the complainant was subjected to an improper strip search. This allegation was addressed in SPEC #2: Police Officer Matos, while on-duty and assigned to the 50th Precinct, did wrongfully make a false and or inaccurate and misleading statement during a Civilian Complaint Review Board interview, to wit, said Police Officer did, in sum and substance, state that his hand was never inside [REDACTED]'s underwear, that [REDACTED]'s clothing was not removed or pulled down, and that there was no skin-to-skin contact with [REDACTED].					
3	Full Allegation Memobook Incomplete/Improper -	Classification Abuse of Dept Regulations	Allegation Index Administrative Integrity Issue	Allegation Date 05/14/2018	Finding 07 - Substantiated	Finding Date 05/14/2018
	Comments Due to the fact that Officer Matos failed to document in his Activity Log that the strip search of the defendant took place. This allegation is being documented as Substantiated. This allegation was addressed in SPEC #4: PO Matos, while assigned to the 50th Precinct, did wrongfully fail to make a required Activity Log entry regarding the strip search of [REDACTED].					
4	Full Allegation Charges & Specifications - IAB	Classification NOTIFICATION/Additional Information	Allegation Index CS-Charges and Specifications	Allegation Date 05/14/2018	Finding 04 - Info. and Intelligence	Finding Date 05/17/2018
	Comments Police Officer Matos received Charges and Specifications under Log #2018-18745, for his role in the search of the defendant.					
5	Full Allegation Fail to Properly Search - Prisoner - Unauthorized Strip Search	Classification Abuse of Dept Regulations	Allegation Index ISP-Improper Search Person	Allegation Date 05/16/2018	Finding 07 - Substantiated	Finding Date 05/17/2018
	Comments Due to the fact that Officer Matos participated in an unauthorized search of the C/V, this allegation is being documented as Substantiated. This allegation was addressed in SPEC #1.					
6	Full Allegation Official Statement - False Statement - PG	Classification Perjury/False Statements	Allegation Index GO15-PG 206-13	Allegation Date 05/16/2018	Finding 07 - Substantiated	Finding Date 05/17/2018
	Comments Investigation into this case revealed the fact that PO Matos provided a false statement to IAB in an apparent attempt to conceal the fact that the complainant was subjected to an improper strip search. This allegation was addressed in SPEC #3: PO Matos, while assigned to the 50th Precinct, did wrongfully make a false and or inaccurate and misleading statement during an official Department interview, to wit, said officer did, in sum and substance, state that he did not pull down [REDACTED]'s pants, that he did not place his hand inside [REDACTED]'s underwear, that he did not make skin-to-skin contact with [REDACTED], and that he did not use his hand to conduct a swipe between [REDACTED]'s butt check.					

ATTACHMENT

1	 <u>'REQUEST FOR CHARGES AND SPECIFICATIONS'</u>
2	 <u>'CHARGES & SPECIFICATIONS FOR SGT. BUTLER'</u>

3	 'CHARGES & SPECIFICATIONS FOR PO MATOS'
4	 'NOTIFICATION OF DISPO LETTERS TO ALL S/O'S PG'D'
5	 'NOTIFICATION AND REFERRAL FOR PO LABIANCA'

Reporting Officer:	Rank SDS	Name JAMES SHANTEL		Tax Reg. No. 935053		Command G21-GROUP 21
Reviewing Supervisor:	Manner of Closing CM - PARTIALLY SUBSTANTIATED / MINOR PROCEDURAL VIOLATION	Date Reviewed 07/02/2018	Date of Next Review	Name SHEA THOMAS		Supv. Tax No. 899848
Endorser:	Rank LCD	Name HEALEY RICHARD	Tax Reg. No. 935002	Command G21-GROUP 21	DateTime Reviewed 05/30/2018 07:50	Status Approved
	Comments APPROVED					
Endorser:	Rank DI	Name HELLMAN RICHARD	Tax Reg. No. 893152	Command G21-GROUP 21	DateTime Reviewed 05/31/2018 00:21	Status Rejected
	Comments [REDACTED]					
Endorser:	Rank LCD	Name HEALEY RICHARD	Tax Reg. No. 935002	Command G21-GROUP 21	DateTime Reviewed 05/31/2018 16:31	Status Approved
	Comments UPDATED					
Endorser:	Rank DI	Name HELLMAN RICHARD	Tax Reg. No. 893152	Command G21-GROUP 21	DateTime Reviewed 05/31/2018 21:51	Status Approved
	Comments APPROVED.					
Endorser:	Rank DI	Name VIERLING LOUIS	Tax Reg. No. 919823	Command Z01-ZONE 1	DateTime Reviewed 06/04/2018 17:13	Status Approved
	Comments CASE REVIEWED ALONG WITH THE CASE MANAGEMENT PLAN. ALL ALLEGATIONS HAVE BEEN ADDRESSED AND DISPOSED OF ACCORDINGLY. CONCUR WITH INVESTIGATIVE FINDINGS.					
Endorser:	Rank INS	Name SHEA THOMAS	Tax Reg. No. 899848	Command Z01-ZONE 1	DateTime Reviewed 06/25/2018 20:52	Status Rejected
	Comments [REDACTED]					

Endorser:	Rank LCD	Name HEALEY RICHARD	Tax Reg. No. 935002	Command G21-GROUP 21	DateTime Reviewed 06/26/2018 14:13	Status Approved
	Comments CLOSING UPDATED					
Endorser:	Rank INS	Name SHEA THOMAS	Tax Reg. No. 899848	Command Z01-ZONE 1	DateTime Reviewed 07/02/2018 16:50	Status Approved
	Comments APPROVE CLOSING. ADDITIONAL STEPS COMPLETED.					